

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**IN RE: BIOZORB DEVICE PRODUCTS
LIABILITY LITIGATION**

This Document Relates to: All Plaintiffs

Case No. 1:22-cv-11895-ADB

CASE MANAGEMENT ORDER

1. This pretrial case management order sets forth processes and deadlines for expert disclosures in certain cases in which a Plaintiff asserts a personal injury claim related to their implantation of the BioZorb 3D bioabsorbable marker device (the “BioZorb”) against Hologic, Inc. (“Hologic”).

2. This Order shall apply to (a) any case that is filed in or transferred to this Court after the date of this Order; and (b) any case that is pending as of the date of this Order in which Plaintiffs’ original counsel moved to withdraw and Plaintiff either obtained new counsel or filed a notice of intent to proceed *pro se*.

3. For all such cases, the Plaintiff must serve upon Hologic a) the expert disclosures required by Federal Rule of Civil Procedure 26(a)(2)-(3); and b) all medical records reviewed or relied upon by the Plaintiff or her counsel to ascertain implantation with the BioZorb and associated injuries within 120 days of the date the case is filed in or transferred to this Court (or from the date the Court grants the motion to withdraw).

4. If a Plaintiff fails to serve expert disclosures within the applicable deadline, Hologic may file a motion to dismiss the Plaintiff's claims with prejudice. With respect to *pro se* Plaintiffs, within two (2) business days of filing any motion to dismiss, Hologic shall serve each Plaintiff with the motion via certified mail, return receipt requested, or such other manner of delivery that includes confirmation of delivery as to date and address or attempted service. Attempted service at the last known address on file pursuant to any of the means noted above shall be considered sufficient service for the motion to dismiss.

5. Plaintiff may respond to the motion within thirty (30) days. If Plaintiff does not respond within that time, Hologic shall file a notice of non-opposition with the Court and request dismissal of the Plaintiff's claims. Hologic shall include with any notice of non-opposition: (a) documentation of confirmation of delivery to the Plaintiff, at last known address, of Hologic's motion to dismiss (referenced in Paragraph 4 above), and (b) a proposed order of dismissal for the Court's convenience.

IT IS SO ORDERED.

Dated: January 9, 2026

/s/ Allison D. Burroughs

The Honorable Allison D. Burroughs
United States District Judge